

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR 08-0778 MMC
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING HEARING AND
v.)	EXCLUDING TIME
)	
ALEJANDRO LOPEZ-RESENDIZ,)	
)	
Defendant.)	
_____)	

STIPULATION

The parties agree to continue the hearing in the above-captioned matter from January 30, 2009 until February 13, 2009 at 2:00 p.m. or as soon thereafter as the matter may be heard. The reason for the continuance is that the parties are engaged in settlement discussions, and that counsel needs additional time for effective preparation of the case.

For the foregoing reasons, the parties agree to the stated continuance and request that time be excluded under the Speedy Trial Act based upon the need for effective preparation.

IT IS SO STIPULATED.

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1 Dated: January 28, 2009

/s/
RONALD C. TYLER
Assistant Federal Public Defender
Counsel for Alejandro Lopez-Resendiz

4 Dated: January 28, 2009

/s/
JEANE HAMILTON
Special Assistant United States Attorney

7 **ORDER**

8 The Court finds as follows:

9 The ends of justice are served by granting the requested continuance, given that failure to
10 do so would deny counsel for the defendant the reasonable time necessary for effective
11 preparation, taking into account the exercise of due diligence and would unreasonably deny the
12 defendant continuity of counsel.

13 The aforementioned ends of justice outweigh the best interest of the public and the
14 defendant in a speedy trial.

15 February 18, 2009 at 2:30 p.m.

16 Accordingly, this matter is continued until ~~February 13, 2009 at 2:00 p.m. or as soon~~
17 ~~thereafter as the matter may be heard.~~ Pursuant to the Speedy Trial Act Title 18 United States
18 Code §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv), the period from January 30, 2009 until February
19 13, 2009 is excluded in computing the time within which the trial of this matter must commence.

20 IT IS SO ORDERED.

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23 Dated: January 29, 2009


THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT JUDGE